

**UNITED STATES DISTRICT COURT
for the
SOUTHERN DISTRICT OF TEXAS**

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)**

Name of Offender:	Clint Cody	Case Number: 2:08CR00738-002
Name of Sentencing Judge:	Honorable Janis Graham Jack	
Date of Original Sentence:	March 26, 2009	
Original Offense:	Conspiracy to Possess With Intent to Distribute More Than 50 Grams of Methamphetamine	
Original Sentence:	35 months imprisonment / 4 Years SRT 03/29/10: Sentence of imprisonment reduced to 30 months pursuant to Rule 35(b)	
Type of Supervision:	Supervised Release	Supervision Started: 01/20/2011

EARLIER COURT ACTION

None.

PETITIONING THE COURT

- ☐ To extend the term of supervision for year, for a total term of years.
- ☒ To modify the conditions of supervision as follows:

ALCOHOL ABSTINENCE: The defendant shall abstain from the use of alcohol during the term of supervision.

CAUSE

On January 5, 2014, Mr. Clint was arrested by a San Patricio County, Texas, Sheriff's deputy and charged with Disorderly Conduct. According to offense details, a San Patricio County, Texas, Sheriff's deputy was dispatched to the offender's home located at 293 Private Road 2213, in reference to a loud music complaint. The deputy arrived at the entrance to the property and met with the offender at a closed gate. The deputy explained he had been dispatched to the residence due to a complaint regarding the loud music. Mr. Clint became angered and advised

the officer that it was only 8:00 p.m. and that he could have his music at any volume. During the conversation, the deputy noticed that the offender spoke with slurred speech and exhibited other signs of intoxication. Mr. Clint expressed his disagreement with the deputy, but agreed to turn the music volume down. Soon after the deputy departed the residence, the original complainant called back to advise that the music had again been turned up. The deputy returned to the residence but did not hear any music. The deputy made contact with Mr. Clint a second time and warned Mr. Clint that he would be arrested for disorderly conduct if the music was turned up again. The deputy departed the location then parked a short distance away. Approximately five minutes later, the music was turned up again. Upon returning to the location, the deputy noticed that the previously unlocked gates had been chained and pad locked. The deputy subsequently climbed the gate and proceeded to place Mr. Clint under arrest.

Based on the details of the offender's arrest, it is the U.S. Probation Office's recommendation that the offender's supervised release term conditions be modified to include alcohol abstinence. Prior to this arrest, the offender had complied with all aspects of his supervised release. Mr. Clint has agreed to the parameters of this modification.

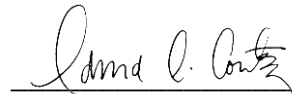
Approved:



Arnoldo Perez, Jr. Supervising
U.S. Probation Officer

Respectfully submitted:

by



Edward E. Cortez
U.S. Probation Officer
January 23, 2014

- ☐ No Action
- ☐ Extended Supervision as Noted
- ☒ Modify Conditions as Noted
- ☐ Other:



James Graham Jack
Senior United States District Judge

January 27, 2014

Date

PROB 49
(5/00)

RE: Cody Clint
2:08CR00738-002

UNITED STATES DISTRICT COURT
for the
Southern District of Texas

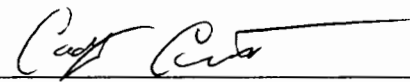
**Waiver of Hearing to Modify Conditions
of Supervised Release or Extend Term of Supervision**

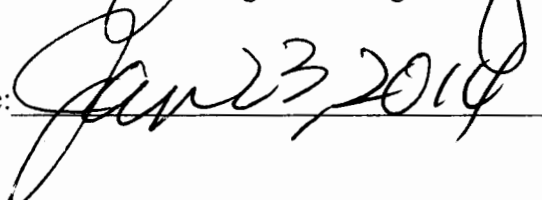
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Supervised Release or the proposed extension of my term of supervision:

ALCOHOL ABSTINENCE: The defendant shall abstain from the use of alcohol during the term of supervision.

Witness 
U.S. Magistrate Judge

Signed 
Probationer or Supervised Releasee

Date: 

Date: 11/23/14